

Notice was duly published Jul 21, 2020 on page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on July 28, 2020 at 10:00 AM in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Chair Mary Ridder called the regularly scheduled meeting to order at 10:00 AM. with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. Chair Ridder stated that a copy of the Nebraska Open Meetings Act is posted in the meeting room and invited the public to address the Commission. No public comments were received. No announcements were made.

Attention was called to the following proceedings:

Tuesday, August 11, 2020:

Commission Meeting

10:00 a.m. - Commission Hearing Room

C-5122/ Communications Annual Report - **Hearing**

DC-96 11:00 a.m. Commission Hearing Room

Commissioner Rod Johnson, presiding as Hearing Officer

COMMUNICATIONS DEPARTMENT

- C-5088 In the Matter of the Application of Robert and Sharon Barjenbruch; Jeffrey and Lisa Bessmer; Dean and Judy Bohn; Jay and Liane Connelly; Thomas and Necole Cook; Jon Erickson; Timothy and Tammy Ferguson; Fore-Quarters Feedlot, LLC; Josh and Paula Freudenburg; Derek and Katie Fryer; John and Donna Gall; Dan and Sandy Goeken; John Fulks; Leon and Pamela Handke; Kenneth Kollath; Natural Concrete/JVK Inc.; Mathew and June Phillips; Tim and Kim Puntney; Mark and Lisa Rumsey; Dale Schwede; Laverne Strasheim; Tina Thomsen; Tom Thomsen; Brent and Rachel Tietz; Randy and Lisa Walters; Kenneth and Patricia Ann Weander; Preston and Jenna Witt; Arlis Manzer White; and Stanton Telecom, Inc., Stanton County, Nebraska seeking authority to receive advanced telecommunications service from the Stanton Exchange of Stanton Telecom, Inc.;
- C-5097 In the Matter of the Application of Shane and Nicole Bernhardt, Norfolk, and Stanton Telecom, Inc., Stanton, seeking authority to receive telephone service from the Stanton exchange of the Stanton Telecom, Inc.
- C-5138 In the Matter of the Application of James Jr. and Kerry Crilly; Barbara Jackson; Joel Johnson; Bob Kuehn; John Langenberg; Bradley and Kristina Mack; Donald and Janiece Novotny; David Pint; Kirk and Carin Van Pelt; Terry Vogel; Duane Wolff; Jay Wolff; Green Fiber and Stanton Telecom, Inc., Stanton, Nebraska, seeking authority to receive advanced telecommunications service from

the Stanton Exchange of Stanton Telecom, Inc. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram, to enter an Order approving settlement agreement and boundary changes for C-5088, C-5097 and C-5138. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

C-5139 In the Matter of the Application of CenturyLink Public Communications, Inc., Monroe, Louisiana, seeking authority to withdraw its local exchange and interexchange certificates of authority and cancel its tariffs. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an Order granting application. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-37.386 In the Matter of Cullen Robbins, Director, Nebraska Universal Service Fund Department of the Nebraska Public Service Commission, Complainant, v. Voyant Communications, LLC, Respondent. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to enter an Order dismissing the Complaint. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-92, In the Matter of the Nebraska Public Service Commission, on PO #11 its own Motion, to administer the Nebraska Universal Service Fund Broadband Program. Motion made by Commissioner Tim Schram, seconded by Commissioner Rod Johnson, to enter an Order opening application window from August 10, 2020, through October 1, 2020. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

Cullen Robbins discussed NUSF Late-Filed Carrier Remittances: Norstan Network Services, Inc. Motion made by Commissioner Dan Watermeier, seconded by Commissioner Rod Johnson, to amend the current Norstan Network Complaint, NUSF-37.381, correcting late-filed monthly filings to quarterly filings. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NUSF-119/ In the Matter of the Nebraska Public Service Commission, on PI-233 its own motion, to consider revisions to the contribution methodology and determine a rate design for services currently subject to a revenues-based surcharge. Commissioner Rhoades presiding as Hearing Officer. Cullen Robbins discussed the Hearing Officer's Order extending comment deadlines from July 31, 2020, to August 31, 2020, and, reply comment deadline extended from August 21, 2020 to September 30, 2020.

NATURAL GAS DEPARTMENT

NG-109 In the Matter of the Application of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, seeking approval of a general rate increase. Motion made by Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to enter an order regarding Black Hills' motion to defer collection of interim rates. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

NG-102 In the Matter of the Commission, on its own motion, seeking to review policies and practices relating to the administration of customer choice programs for natural gas service offered within the State of Nebraska.

NG-107 In the Matter of the Application of Black Hills Nebraska Gas, LLC d/b/a Black Hills Energy for a deferred accounting order to record and preserve costs related to the Covid-19 pandemic.

NG-109 In the Matter of the Application of Black Hills Nebraska as, LLC d/b/a Black Hills Energy, Rapid City, South Dakota, seeking approval of a general rate increase. Motion made by Commissioner Rod Johnson, seconded by Commissioner Crystal Rhoades, to enter assessment orders NG-102/BA-3; NG-107/BA-4 and BA-5; NG-109/BW-1, BA-1 and BA-2. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

LEGISLATIVE

Nichole Mulcahy discussed pending legislation.

TRANSPORTATION DEPARTMENT

B-1994 In the Matter of the Application of SNP Consulting Services, LLC, Elkhorn, seeking authority as a contract carrier in Nebraska intrastate commerce in the transportation of passengers by van in open class service between points in Douglas and Sarpy counties over irregular routes pursuant to a contract with the Nebraska Department of Health and Human Services, a medicaid-managed care organization under contract with NDHHS, or another agent working on behalf of NDHHS. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes. Motion made by Commissioner Crystal Rhoades, seconded by Commissioner Tim Schram, to enter an Order granting the application as amended. Motion passed with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier voting AYE.

B-2007, In the Matter of the Application of N.H.A.A.D. LLC, d/b/a
Supp. 1 the Party Bus, North Platte, seeking a change in dba to NP
 Party Bus and an extension of authority as a common carrier
to transport passengers by bus in special party service between points
in Sioux, Scotts Bluff, Banner, Kimball, Dawes, Box Butte, Morrill,
Cheyenne, Sheridan, Garden, Deuel, Cherry, Grant, Hooker, Thomas,
Arthur, McPherson, Logan, Keith, Perkins, Chase, Frontier, Dundy,
Hitchcock, Red Willow, Blaine, Loup, Custer, Dawson, Buffalo, Gosper,
Phelps, Kearney, Furnas, Harlan, Franklin, Sherman, Valley, Garfield,
Holt, Rock, and Brown counties, and between said counties, over
irregular routes. RESTRICTIONS: The transportation of railroad train
crews and their baggage is not authorized. HHS Designation: No. Motion
made by Commissioner Rod Johnson, seconded by Commissioner Crystal
Rhoades, to enter an Order granting the application. Motion passed
with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim
Schram and Dan Watermeier voting AYE.

B-2012 In the Matter of the Application of Omaha's Very Own Party
 Bus, LLC, Omaha, seeking authority as a common carrier in
Nebraska intrastate commerce in the transportation of passengers by
bus in special party and charter service between points in Douglas and
Sarpy counties, and points between said counties, over irregular
routes. RESTRICTIONS: The transportation of railroad train crews and
their baggage is not authorized. HHS Designation: No. Motion made by
Commissioner Tim Schram, seconded by Commissioner Dan Watermeier, to
enter an Order granting the application. Motion passed with
Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram
and Dan Watermeier voting AYE.

GRAIN WAREHOUSE DEPARTMENT

GW-2187 In the Matter of the Application of Richardson Milling
 Inc., South Sioux City, Nebraska, requesting a \$250,000
deductible on its stock insurance. Motion made by Commissioner Rod
Johnson, seconded by Commissioner Tim Schram to enter an order
granting application. Motion passed with Commissioners Rod Johnson,
Crystal Rhoades, Mary Ridder, Tim Schram, and Dan Watermeier voting
AYE.

Grain Dealer Division

GD-3041 In the Matter of the Application of F.W. Cobs Company,
 Inc., Saint Albans Bay, Vermont, seeking authority to
operate as a grain dealer pursuant to Neb. Rev. Stat. § 75-903
(Reissue of 2018). Motion made by Commissioner Tim Schram, seconded by
Commissioner Crystal Rhoades to enter an order granting the Grain
Dealer License. Motion passed with Commissioners Rod Johnson, Crystal
Rhoades, Mary Ridder, Tim Schram, and Dan Watermeier voting AYE.

GENERAL ADMINISTRATION

PI-231 In the Matter of the Commission, on its own motion, responding to the COVID-19 state of emergency. Motion made by Commissioner Rod Johnson, seconded by Commissioner Tim Schram.to enter Progression Order #3. Motion passed with Commissioners Rod Johnson, Mary Ridder, Tim Schram and Dan Watermeier voting AYE, and Commissioner Crystal Rhoades voting NAY.

The meeting adjourned at 10:22 AM with Commissioners Rod Johnson, Crystal Rhoades, Mary Ridder, Tim Schram and Dan Watermeier present. The next regularly scheduled meeting will be held on August 11, 2020 at 10:00 AM with an agenda to be available in the office of the Executive Director at 10:00 AM on August 10, 2020.

Chair

Executive Director